



Town of Arlington, Massachusetts
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Finance Committee Minutes 01-10-2001

7:30 PM Town Hall Hearing Room
 Jan. 10, 2001

ATTENDEES:

Phelps* Feinleib* Kocur* O'Neill Mahoney*
 DeCoursey* Villandry Simmons* Mazmanian*
 Tosti* Foscett* Deyst Ronan*
 Scoppettuolo* Franclemont* Olsen*
 DuBois* Howard* Fanning* Tosi* Kneeland*

* Indicates present

VISITORS: Director Planning Alan McClennen, Town Counsel John Maher, Superintendent of Schools Kay Donovan, Legal Consultant Nancy Kaplan (Keegan, Werlis & Pabiau), Licensed Site Professional Jeff Nangle (NCA); & residents Jim Rosmano, Mike D'Agneve, Paul McKenna, Arthur Ales, Bob Geribo, George Laite

Peirce Field toxic cleanup:

Donovan introduced the speakers and provided a brief overview. The presentation used computer-projected charts w/o hard copy.

Kaplan reviewed the legal requirements & the legal history. Almost any body involved in the site is liable under MA 2180. The liability is "strict, retroactive, joint & several". The Massachusetts Contingency Plan (MCP) give the procedures that must be followed to investigate and remediate a site. The polluting uses were an oil spill at the DPW yard, chromium residues from a chromium plant that occupied part of the site in the early 20th century, and the natural gas storage tank that was on the site in the mid-20th century.

Initially, there were separate sites, but the town was successful in getting them combined into one. After extensive research, the following corporate bodies are liable in addition to the town: Honeywell, Mass. Electric and KeySpan. There is no immediate hazard at Peirce Field, because there is no serious pollutant in the top 6 inches of soil.

But there is serious pollution in the top 3 feet, which must be fixed lest it be turned over in some future excavation. This is a summary of the testing done over the last two years by representatives of all the parties. The parties have met and corresponded many times. A cleanup plan has been drawn up for submission to DEP, expected in June 2001.

Maher reviewed the agreement that has been reached between the parties. Copies were not provided. The agreement has been approved by the Selectmen and the School Committee.

It will be submitted to Town Meeting this spring. A two-thirds vote is required for approval (land use).

The agreement is based on a "reasonable" cleanup, estimated to cost \$6 million (with a \$1.2 million contingency). The corporate parties will bear this cost.

A "complete" cleanup would have cost 10 times as much and exposed the town to toxic dust during the earth-removal operation.~

A special-purpose trust will be set up to receive the funds as needed and pay the bills. After the cleanup is completed, the site will require periodic inspections, which will also be handled by the trust.

Technical management of the cleanup and monitoring will be carried out by the town and paid by the trust. The town must agree to use restrictions for the site (no change from present use) in order to obtain the corporate funds. If these restrictions are violated, the town becomes solely liable, at least for the portions of the site for which the use changed.

The exact boundaries of the site have not been drawn, but the AHS parking lot and the land in front of the school is not affected. Only a "small" portion of the land under the school is part of the site. Thus, additions to AHS in these directions would not be restricted.

The remediation involves removing the top 1 foot of soil on average with special attention to "hot spots."

Then a clay impermeable cap will be laid down and covered with 3 feet of clean fill. This process is similar to what is planned for Reed's Brook, except vents are not needed since the pollutants do not generate gas.

Maintenance of the Mill Brook culvert under the fields will be covered by the trust.

The playing fields will be relaid out to make best use of the space.~The Town Yard will be left as is, except to remove a buried gas purifier box.~

The former soccer practice field will be covered with the foundation of a new field house. The foundation of the field house estimated at \$200,000, will be paid for by the trust.

The Trust will pay \$2.7 million maximum for the rest of the field house. The Town must pay the balance.

Just how much this will be [done] depends on the School Committee. A minimum of \$1 million is estimated, and private funding is being considered.

A small part of the site is on public property. This land is not seriously polluted and the owners are glad to leave it alone.

Negotiations are complete. If the town rejects the plan, then the solution will be adjudicated at an estimated price of \$200,000 plus a share of the remediation cost. The outcome would be uncertain. The cost to the town so far for legal and technical consulting is about \$200,000.

McClennen pointed out that had the original AHS plan been approved, it might have been stopped when the pollution was found and the town would have been solely liable.~The same might have happened if the Stop & Shop project had gone ahead. He believes we have lucked out.~There is no definite time line for this project beyond the June submission to DEP.

Donovan thanked the negotiating team (presenters) and fielded questions. Answers to these questions have been included above.

COMMITTEE BUSINESS:

Transfers:

\$76,000 from Reserve Fund to Manager for retirement costs, approved unanimously.

\$27,238.33 from Deferred Salary Account to Manager for retirement costs, approved unanimously.

\$50,000 from Reserve Fund to Veteran Services, approved unanimously.

\$27,412 from Reserve Fund to Legal for Peirce Field costs, approved unanimously.

Copies of the proposed budget were passed out along with a listing of carry-over funds and the new pay plan. The chair provided a handout with suggestions for budget reviews along with subcommittee assignments. He also provided a copy of the current year budget.

The chair also provided a copy of the budget increase estimate that he prepared for the Budget & Revenue Task Force. He estimated the net increase of expense over revenue to be more than \$2 million.~Much of this comes from estimated health insurance and trash collection increases.

A letter from Minuteman School Committee was received. Arlington was requested to return to funding "by agreement" in exchange for various changes in Minuteman operations. The Minuteman School Committee Chair will be invited to a future meeting to discuss these proposals.

Thanks received for contributions to Adopt A Family.

A meeting schedule for the next four months was provided. The next meeting is Jan. 24.

Meetings are also scheduled for Jan. 31; Feb. 5, 7, 14, 21, 26, 28; March 5, 7, 14, 19, 21, 26, 28; and April 9,11 – all in the Bob O'Neill Room at the Community Safety Building.

Peter B. Howard, Secretary 1/11/01